In re Hideki Horii et al; Filed: February 18, 2004

Page 8

REMARKS

This response is submitted in reply to the Official Action dated March 2, 2005 ("the Action"). In the Action, the Examiner required a restriction for:

Group I. Claims 1-13, drawn to a semiconductor device, classified in class Class 257, subclass 296;

Group II. Claims 14-38, drawn to a process for making a semiconductor device, classified in class 438, subclass 1+;

The Applicants hereby elect the following named claims: Group II including Claims 14-38. This election is made without traverse because the Applicants agree that the inventions are patentably distinct.

The Applicants respectfully submit that this application is in condition for substantive examination, which action is requested. If any extension of time for the accompanying response or submission is required, the Applicants request that this be considered a petition therefor. The Commissioner is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.

Respectfully submitted,

Scott C. Hatfield

Registration Nd. 38,176

Myers Bigel Sibley & Sajovec, P.A.

P. O. Box 37428

Raleigh, North Carolina 27627

Telephone: (919) 854-1400 Facsimile: (919) 854-1401 Customer Number 20792

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 30, 2005.

Joyce P